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Attorneys for Plaintiffs: Patrick Russell,
and Lynne Russell, both individually,
and as successors in interest to
Patrick John Russell

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PATRICK RUSSELL, as Personal
Representative of the Estate of Patrick
John Russell and individually; LYNNE
RUSSELL, as Personal Representative
of the Estate of Patrick John Russell and
individually,

Plaintiffs,

vs.

COUNTY OF ORANGE; ORANGE
COUNTY SHERIFF-CORONER
SANDRA HUTCHENS, individually
and in her official capacity; JOSELYN
LUMITAP, individually; PATTI
TROUT, individually; MARIA
TEOFILO, individually; THOMAS LE,
individually, and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 17-CV-00125-JLS (DFM)

[Honorable Josephine L. Staton]

**PLAINTIFFS' [PROPOSED]
SPECIAL VERDICT FORM**

FPTC: June 8, 2018
Trial: July 3, 2018

PROPOSED SPECIAL VERDICT FORM

QUESTION 1: Were any of the following Defendants deliberately indifferent to the medical needs of Mr. Russell?

Jocelyn Lumitap YES _____ NO _____

Patti Trout YES _____ NO _____

Maria Teofilo YES _____ NO _____

Thomas Le, D.O. YES _____ NO _____

If you answered "yes" as to any of the Defendants in Question 1, please answer Question 2 for those Defendants.

If you answered "no" as to all of the Defendants in Question 1, please answer Question 4.

QUESTION 2: Was the deliberate indifference to the medical needs of Mr. Russell a cause of pre-death suffering and loss of enjoyment of life to Mr. Russell?

Jocelyn Lumitap YES _____ NO _____

Patti Trout YES _____ NO _____

Maria Teofilo YES _____ NO _____

Thomas Le, D.O. YES _____ NO _____

Please proceed to the next question.

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QUESTION 3: Was the deliberate indifference to the medical needs of Mr. Russell a cause of Mr. Russell's death?

Jocelyn Lumitap	YES _____	NO _____
Patti Trout	YES _____	NO _____
Maria Teofilo	YES _____	NO _____
Thomas Le, D.O.	YES _____	NO _____

Please proceed to the next question.

QUESTION 4: Were any of the following Defendants negligent towards Mr. Russell?

Jocelyn Lumitap	YES _____	NO _____
Patti Trout	YES _____	NO _____
Maria Teofilo	YES _____	NO _____
Thomas Le, D.O.	YES _____	NO _____

If you answered "yes" to any of the Defendants in Questions 4, please answer Question 5 for those Defendants.

If you answered "no" as to all of the Defendants in Question 4, but answered "yes" as to any of the Defendants in Questions 2 or 3, please answer Question 6.

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QUESTION 5: Was the negligence a cause of Mr. Russell's death?

Jocelyn Lumitap YES _____ NO _____

Patti Trout YES _____ NO _____

Maria Teofilo YES _____ NO _____

Thomas Le, D.O. YES _____ NO _____

Please proceed to the next question.

QUESTION 6: Did any of the following Defendants fail to summon reasonable medical care for Mr. Russell?

Jocelyn Lumitap YES _____ NO _____

Patti Trout YES _____ NO _____

Maria Teofilo YES _____ NO _____

Thomas Le, D.O. YES _____ NO _____

If you answered "yes" as to any of the Defendants in Question 6, please answer Question 7 for those Defendants.

If you answered "no" as to all of the Defendants in Question 6, but answered "yes" as to any of the Defendants in Questions 2 or 3, please answer Question 8.

If you answered "no" as to all of the Defendants in Questions 2, 3, 5 and 6, please sign and return this form.

QUESTION 7: Was the failure to summon reasonable medical care a substantial factor in causing Mr. Russell's death?

Jocelyn Lumitap	YES _____	NO _____
Patti Trout	YES _____	NO _____
Maria Teofilo	YES _____	NO _____
Thomas Le, D.O.	YES _____	NO _____

If you answered "yes" as to any of the Defendants in Questions 2 or 3, please answer Question 8.

If you answered "no" as to all of the Defendants in both Questions 2 and 3, but answered "yes" as to any of the Defendants in either Question 5 or 6, please answer Question 8.

QUESTION 8: What are Mr. Russell's damages for pain and suffering, and loss of enjoyment of life?

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If you answered "yes" as to any of the Defendants in Questions 3, 5, or 7, please answer Question 9.

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QUESTION 9: What are Plaintiffs' damages for the past and future loss of their son?

Patrick Russel:

Past loss \$ _____

Future loss \$ _____

Lynne Russel:

Past loss \$ _____

Future loss \$ _____

If you answered "yes" as to any of the Defendants in either Questions 2 or 3, please proceed to Question 10.

If you answered "no" as to all of the Defendants in both Questions 2 and 3, please proceed to Question 14.

QUESTION 10: Did the County of Orange have inadequate training with respect to handling situations of serious medical needs for individuals in custody?

YES _____ NO _____

If you answered "yes" to Question 10, please proceed to Question 11.

If you answered "no" to Question 10, please proceed to Question 12.

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QUESTION 11: Was the County of Orange's failure to train its medical staff employees the moving force behind the injury or harm to Mr. Russell?

YES _____ NO _____

Please proceed to the next question.

QUESTION 12: Did the County of Orange have an unconstitutional policy, custom or practice?

YES _____ NO _____

If you answered "yes" to Question 12, please proceed to Question 13.

If you answered "no" to Question 12, please proceed to Question 14.

QUESTION 13: Was the County of Orange's unconstitutional policy, custom or practice the moving force behind injury or harm to Mr. Russell?

YES _____ NO _____

Please proceed to the next question.

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QUESTION 14: Did any of the Defendants act with malice, oppression, or reckless disregard for Mr. Russell's rights?

Jocelyn Lumitap YES _____ NO _____

Patti Trout YES _____ NO _____

Maria Teofilo YES _____ NO _____

Thomas Le, D.O. YES _____ NO _____

Please sign and date this verdict form and return it to the Court.

Dated: _____ Signed: _____

Jury Foreperson